

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
RC PETITION


DO NOT WRITE IN THIS SPACE

Case No.

Date Filed

INSTRUCTIONS: Unless e-Filed using the Agency's website, www.nlrb.gov/, submit an original of this Petition to an NLRB office in the Region in which the employer concerned is located. The petition must be accompanied by both a showing of interest (see 6b below) and a certificate of service showing service on the employer and all other parties named in the petition of: (1) the petition; (2) Statement of Position form (Form NLRB-505); and (3) Description of Representation Case Procedures (Form NLRB 4812). The showing of interest should only be filed with the NLRB and should not be served on the employer or any other party.

1. PURPOSE OF THIS PETITION: RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees. **The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.**

2a. Name of Employer: Poly Prep Country Day School		2b. Address(es) of Establishment(s) involved (Street and number, City, State, ZIP code): 1 Poly Prep Drive, Brooklyn, NY 11228	
3a. Employer Representative - Name and Title: Audrius Barzdukas, Head of School		3b. Address (if same as 2b - state same): same	
3c. Tel. No. 718-836-9800 x3030	3d. Cell No. 323-823-0990	3e. Fax No.	3f. E-Mail Address abarzdukas@polyprep.org
4a. Type of Establishment (Factory, mine, wholesaler, etc.) school		4b. Principal Product or Service education	
5b. Description of Unit Involved: Included: all full-time and regular part-time Employees of the Employer Excluded: all guards, managers, confidential employees and supervisors as defined by the Act		5a. City and State where unit is located: Brooklyn, NY 6a. Number of Employees in Unit: Approximately 247 6b. Do a substantial number (30% or more) of the employees in the unit wish to be represented by the Petitioner? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Check One: <input checked="" type="checkbox"/> 7a. Request for recognition as Bargaining Representative was made on (Date) 3/10/2023 and Employer declined recognition on or about (Date) 3/13/2023 (If no reply received, so state). <input type="checkbox"/> 7b. Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.			
8a. Name of Recognized or Certified Bargaining Agent (If none, so state) none		8b. Address:	
8c. Tel. No.	8d. Cell No.	8e. Fax No.	8f. E-Mail Address
8g. Affiliation, if any:		8h. Date of Recognition or Certification	8i. Expiration Date of Current or Most Recent Contract, if any (Month, Day, Year)
9. Is there now a strike or picketing at the Employer's establishment(s) involved? no If so, approximately how many employees are participating? _____ (Name of Labor Organization) _____, has picketed the Employer since (Month, Day, Year) _____			
10. Organizations or individuals other than Petitioner and those named in items 8 and 9, which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in the unit described in item 5b above. (If none, so state) None			
10a. Name		10b. Address	
10c. Tel. No.		10d. Cell No.	
10e. Fax No.		10f. E-Mail Address	
11. Election Details: If the NLRB conducts and election in this matter, state your position with respect to any such election: <input checked="" type="checkbox"/> Manual <input type="checkbox"/> Mail <input type="checkbox"/> Mixed Manual/Mail			
11b. Election Date(s): a) 4/18/2023; b) 4/19/2023		11c. Election Time(s): a) 1:30 pm-4:30 pm; b) 9am-12pm	
11d. Election Location(s): a) Dyker Heights Campus, Library; b) Lower School, Park Slope, Library			
12a. Full Name of Petitioner (including local name and number): Poly Community Union		12b. Address (street and number, city, State and ZIP code): c/o (b) (6), (b) (7)(C)	
12c. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (if none, so state): None			
12d. Tel. No. (b) (6), (b) (7)(C)	12e. Cell No.	12f. Fax No.	12g. E-Mail Address (b) (6), (b) (7)(C)
13. Representative of the Petitioner who will accept service of all papers for purposes of the representation proceeding.			
13a. Name and Title: Allyson L. Belovin, Attorney		13b. Address (street and number, city, State and ZIP code): Levy Ratner, P.C, 80 8th Ave Flr 8, New York, NY 10011	
13c. Tel. No. 212-627-8100	13d. Cell No.	13e. Fax No. 212-627-8182	13f. E-Mail Address abelovin@levyratner.com
I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.			
Name (Print) Allyson L. Belovin		Signature 	Title Attorney
			Date 3/16/23

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 29**

Polytechnic Preparatory Country Day School

Employer

and

Case 29-RC-314167

Poly Community Union

Petitioner

**ORDER CANCELING ELECTION AND
WITHDRAWING NOTICE OF ELECTION**

On March 16, 2023, Poly Community Union (“the Petitioner”) filed a petition in the above-captioned matter seeking to represent certain employees of Polytechnic Preparatory Country Day School, at its facilities located at One Poly Prep Drive, Brooklyn, New York, and 50 Prospect Park West, Brooklyn, New York, as their exclusive collective bargaining representative.

On April 18, 2023, pursuant to a Stipulated Election Agreement executed by the parties and approved by the undersigned, the parties agreed to proceed to an election in the following units:

Voting Group--Unit A (Unit of Professional Employees) Included: All full-time and regular part-time teachers, admissions employees, advancement/fundraising employees, arts employees, athletic trainers, counselors, deans, engagement and communications employees, IT/ technology employees, learning support employees, librarians, and nurses employed by the Employer. Excluded: All non-professional employees, managers, confidential employees, temporary employees, guards and supervisors as defined by the Act.

Voting Group--Unit B (Unit of Non-Professional Employees) Included: All full-time and regular part-time administrative assistants, assistant engineers, attendance managers, building engineers, classroom assistants, coordinators, equipment managers, grounds crew, housekeeping employees, mailroom supervisors, and non-teacher coaches employed by the Employer. Excluded: All professional employees, managers, confidential employees, temporary employees, guards and supervisors as defined by the Act.

Thereafter on May 15, 2023, the parties informed the Region that they had entered into a voluntary recognition agreement to represent those in the above-described units.

On May 15, 2023, the Petitioner requested in writing that its petition be withdrawn.

The Employer has indicated no objection to the approval of the Petitioner's withdrawal request.

ACCORDINGLY, the election currently scheduled for May 17 and 18, 2023, is canceled and the Revised Notice of Election previously issued in this matter is hereby withdrawn. This Order should be posted in place of the Notice of Election, so that employees are advised of these actions.

Dated at Brooklyn, New York, May 15, 2023.

A handwritten signature in cursive script, appearing to read "Teresa Poor".

TERESA POOR
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS BOARD
REGION 29
TWO METRO TECH CENTER STE 5100
FL 5
BROOKLYN, NY 11201-3838